

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MILLENNIUM PIPELINE COMPANY,
LLC.

Plaintiff,

-against-

BACE GROUP, INC., *et al.*

Defendants.

17-CV-9371 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

Millennium Pipeline Company, LLC (“Plaintiff”), a natural gas company, brings this Action under Federal Rule of Civil Procedure 71.1, under the authority of Section 717f(h) of the Natural Gas Act, 15 U.S.C. §§ 717a, *et seq.*, against Bace Group, Inc., Permanent Easement for 0.27 Acres and Temporary Easements for 0.69 Acres in Town of Greenville, Orange County, New York, and All Unknown Owners and Interested Parties (“Defendants”). Plaintiff seeks a permanent right of way and easement on a parcel of property known as Tax Parcel No. 7-1-58.2 in Greenville, Orange County, New York, in order to install and construct pipeline facilities as part of the Eastern System Upgrade Project, which was reviewed and approved by the Federal Energy Regulatory Commission.

This case is scheduled for a non-jury bench trial to determine the issue of just compensation on September 29, 2021, at 10:00 am. The Parties were required to submit pre-hearing submissions no later than August 25, 2021. Neither Party responded. The Court attempted to contact Plaintiff’s counsel via voicemail and email on September 21, 2021, and by email again on September 24, 2021.

Accordingly, it is hereby:

ORDERED that if Plaintiff does not respond by 12:00 pm on September 28, 2021, the Court will dismiss this matter for failure to prosecute.

SO ORDERED.

Dated: September 27, 2021
White Plains, New York

A handwritten signature in black ink, appearing to read 'KMK', with a horizontal line extending from the end of the signature.

KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE